

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DOROTHY BIVENS,

Plaintiff,

Case No. 23-cv-11398

Hon. Matthew F. Leitman

v.

ZEP, INC.,

Defendant.

**ORDER (1) DENYING PLAINTIFF'S EMERGENCY MOTION TO
COMPEL (ECF No. 17) AND (2) GRANTING IN PART AND
DENYING IN PART DEFENDANT'S MOTION FOR A
PROTECTIVE ORDER (ECF No. 18)**

On April 29, 2024, the Court held an on-the-record status conference in this action to discuss (1) Plaintiff Dorothy Bivens' emergency motion to compel witness Bill Moody to produce certain documents at his scheduled deposition (ECF No. 17) and (2) Defendant Zep, Inc.'s motion for a protective order arising out of Bivens' document requests (ECF No. 18). For the reasons explained on the record, Bivens' motion is **DENIED** and Zep's motion is **GRANTED IN PART AND DENIED IN PART**. Zep's motion is **GRANTED** to the extent that it seeks to strike from Moody's deposition notice the document requests issued by Bivens. Moody need not produce any documents at his deposition. Zep's motion is **DENIED** in all other respects.

As further explained on the record, the depositions allowed in the Court's April 12 order (*see* ECF No. 16) shall take place in the time frame set forth in that order. Following those depositions, the next step in this action shall be a dispositive motion filed by Zep.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: April 30, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 30, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
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